

REMARKS

No claims have been amended. Claims 77-83 are cancelled. Accordingly, claims 40, 41 and 45-76 are currently pending. Of these currently-pending claims, claims 40, 41, 45-61, 63-64, 66, 68-75 currently stand withdrawn from consideration, and claims 62, 65, 67 and 76 are currently being examined.

RESPONSE TO NOTICE OF NON-RESPONSIVE AMENDMENT

In the Notice of Non-Responsive Amendment mailed September 30, 2005, the Examiner indicated that the reply filed on July 7, 2005 is not fully responsive to the prior Office Action because Applicant stated that claims 62, 65-69 and 76-83 read on the elected Species when applicant canceled claims 77-83. The Examiner further indicates that the status identifiers for claims 63-64, 66, and 68-69 should be labeled withdrawn. Applicant has revised the response to indicate that claims 62, 65-69 and 76 read on the elected Species, and to identify claims 63-64, 66, and 68-69 as withdrawn. As provided above, this reply also identifies the currently-pending claims (40, 41 and 45-76) which include the withdrawn claims (40, 41, 45-61, 63-64, 66, 68-75).

RESTATEd RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement mailed July 13, 2004, Applicant confirms its previous election, without traverse, of species II (claims 62, 65-69, and 76) and further elects sub-species I (claim 65). Applicant believes that claims 62, 65-69, and 76 are readable upon the elected species, and that claims 62, 65, 67, and 76 are readable upon the elected sub-species.

This election is made without traverse. However, Applicant respectfully requests that the Examiner voluntarily reconsider the decision to divide the application into species I (claims 63-64) and II (claims 62, 65-69, and 76), and further into sub-species I-IV (claims 65, 66, 68, 69, respectively), as indicated in the Restriction Requirement. It is Applicant's belief that examination of all of these claims may not present an undue burden on the Examiner to search and examine a large number of species. Accordingly, Applicant respectfully requests reconsideration of the Restriction Requirement, and examination of claims 62-69 and 76 in conjunction with the present application.

CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's below-named attorney to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

WENDELL P. NOBLE JR. ET AL.

By their Representatives,

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Date 11-1-05 By 
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CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 1 day of November 2005.

Name

Kate Cannon

Signature

Kate Cannon